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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/537,872	03/29/2000	Nobuhiro Hoshi	35.G2564	6109
5514	7590	03/18/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			TRAN, THAI Q	
		ART UNIT		PAPER NUMBER
		2615		
DATE MAILED: 03/18/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Pkg

Office Action Summary	Application No.	Applicant(s)	
	09/537,872	HOSHI ET AL.	
	Examiner	Art Unit	
	Thai Tran	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-33 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 March 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 8-9, 13-19, 22-23, and 27-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Na et al (US Patent 6,366,731 B1).

Regarding claim 1, Na et al discloses a recording apparatus (Fig. 2), comprising: input means (HDTV 100 of Fig. 2, col. 4, lines 16-21 and lines 57-67) for inputting a television signal and channel information relating to the television signal from an external receiving apparatus (HDTV 100 of Fig. 2) which receives the television signal and generates the channel information (PSI disclosed in col. 4, lines 57-67);

recording means for recording the television signal (HD-VCR 200 of Fig. 2, col. 4, lines 16-21); and

control means (ATV microcomputer 109 and HD-VCR microcomputer 203 of Fig. 3, col. 5, lines 9-22 and col. 6, lines 60-67) for controlling said recording means based on the channel information input by said input means.

Regarding claim 2, Na et al discloses the claimed wherein said input means input channel information relating to programs receivable by the external receiving apparatus (PSI disclosed in col. 4, lines 57-67 and program number disclosed in col. 5, lines 1-22).

Regarding claim 3, Na et al discloses the claimed wherein the channel information includes a transmission frequency of the television signal (program number disclosed in col. 5, lines 1-22 and a tuner 101 of Fig. 3 disclosed in col. 4, lines 35-44).

Regarding claim 4, Na et al also discloses the claimed wherein the channel information includes PID (packet identification) of a PMT (program map table) (col. 5, lines 9-22).

Regarding claim 5, Na et al discloses the claimed wherein the channel information includes EPG (electronic programming guide) data received by the external receiving apparatus (program guide disclosed in col. 5, lines 41-51).

Regarding claim 8, Na et al discloses the claimed wherein the television signal includes digital data, and wherein said input means inputs the digital data (digital MPEG2-TS disclosed in col. 4, lines 8-22).

Regarding claim 9, Na et al discloses the claimed wherein said input means inputs data in a format conforming to the IEEE 1394 (IEEE 1394 cable 300 of Fig. 2, col. 4, lines 16-21).

Regarding claim 13, Na et al discloses a recording apparatus (Fig. 2), comprising:

input means (HDTV 100 of Fig. 2, col. 4, lines 16-21 and lines 57-67) for inputting a television signal and channel information relating to the television signal from an external receiving apparatus (HDTV 100 of Fig. 2) which receives the television signal and generates the channel information (PSI disclosed in col. 4, lines 57-67);

assignment means (ATV-remote controller 120 of Fig. 2, col. 4, lines 22-34) for assigning an arbitrary program from among programs relating to the channel information;

recording means for recording the television signal (HD-VCR 200 of Fig. 2, col. 4, lines 16-21); and

control means (ATV microcomputer 109 and HD-VCR microcomputer 203 of Fig. 3, col. 5, lines 9-22 and col. 6, lines 60-67) for controlling said recording means based on the channel information input by said input means.

Regarding claim 14, Na et al discloses the claimed extracting means (tuner 101 of Fig. 3, col. 4, lines 35-43 and PAT parser 104 of Fig. 3, col. 5, lines 9-22) for extracting the television signal relating to the program assigned by said assignment means, wherein said extraction means extracts the television signal from the input television signal based on the channel information relating to the assigned program.

Regarding claim 15, Na et al discloses the claimed output means (ATV-remote controller 120 of Fig. 2, col. 4, lines 22-43 and col. 5, lines 9-22) for outputting a control signal to the external receiving apparatus, wherein the external receiving apparatus is

controlled by the control signal so as to extract and output the television signal relating to the program assigned by said assignment means, based on channel information relating to the assigned program.

Regarding claim 16, Na et al discloses the claimed wherein said input means inputs channel information relating to programs receivable by the external receiving apparatus (PSI disclosed in col. 4, lines 57-67 and program number disclosed in col. 5, lines 1-22).

Regarding claim 17, Na et al discloses the claimed wherein the channel information includes a transmission frequency of the television signal (program number disclosed in col. 5, lines 1-22 and a tuner 101 of Fig. 3 disclosed in col. 4, lines 35-44).

Regarding claim 18, Na et al also discloses the claimed wherein the channel information includes PID (packet identification) of a PMT (program map table) (col. 5, lines 9-22).

Regarding claim 19, Na et al discloses the claimed wherein the channel information includes EPG (electronic programming guide) data received by the external receiving apparatus (program guide disclosed in col. 5, lines 41-51).

Regarding claim 22, Na et al discloses the claimed wherein the television signal includes digital data, and wherein said input means inputs the digital data (digital MPEG2-TS disclosed in col. 4, lines 8-22).

Regarding claim 23, Na et al discloses the claimed wherein said input means inputs data in a format conforming to the IEEE 1394 (IEEE 1394 cable 300 of Fig. 2, col. 4, lines 16-21).

Regarding claim 27, Na et al discloses a television signal receiving apparatus (Fig. 2), comprising:

receiving means (HDTV 100 of Fig. 2, col. 4, lines 16-21) for receiving a television signal;

generating means (PAT parser 104 and PMT parser 105 of Fig. 3, col. 4, lines 9-40) for generating channel information relating to the television signal received by said receiving means; and

interface means (IEEE 1394 interface disclosed in col. 7, lines 7-21) for outputting the television signal received by said receiving means and the channel information generated by said generation means to an external recording apparatus,

wherein the external recording apparatus records the television signal based on the output channel information (col. 7, lines 22-35).

Regarding claim 28, Na et al discloses the claimed wherein said interface means outputs the channel information at every predetermined time period (corrected PAT disclosed in col. 7, lines 6-21).

Regarding claim 29, Na et al discloses the claimed wherein said interface means outputs the channel information in accordance with turning-on of a power supply of said apparatus (col. 6, lines 5-24).

Regarding claim 30, Na et al discloses the claimed wherein said interface means outputs the channel information in accordance with connection of the external recording apparatus while a power supply of said apparatus is turned on (col. 6, lines 5-24).

Regarding claim 31, Na et al discloses the claimed wherein said interface means (col. 6, lines 25-36) further inputs a control signal from the external recording apparatus, and outputs the television signal received by said reception means, in accordance with the input control signal.

Regarding claim 32, Na et al discloses the claimed extraction means (tuner 101 of Fig. 3, col. 4, lines 35-43, PAT parser 104 of Fig. 3, col. 5, lines 9-22, and col. 6, lines 25-36) for extracting a television signal relating to a desired program from the television signal received by said reception means, based on the control signal input by said interface means, wherein said output means outputs the television signal extracted by said extraction means.

Regarding claim 33, Na et al discloses a television signal receiving and recording system (Fig. 2), comprising:

a receiving apparatus (HDTV 100 of Fig. 2, col. 4, lines 16-21) comprising:
receiving means (an antenna and tuner 101 of Fig. 3, col. 4, lines 35-43) for receiving a television signal;
generating means (PAT parser 104 and PMT parser 105 of Fig. 3, col. 4, lines 9-40) for generating channel information relating to the television signal; and
output means (IEEE 1394 interface disclosed in col. 7, lines 7-21) for outputting the television signal received by said receiving means and the channel information generated by said generation means; and
a recording apparatus (HD-VCR 200 of Fig. 2, col. 4, lines 16-21) comprising:

input means (IEEE 1394 interface disclosed in col. 7, lines 7-21) for inputting the television signal and the channel information from said receiving apparatus;

recording means (HD-VCR 200 of Fig. 2, col. 4, lines 16-21) for recording the television signal; and

control means (ATV microcomputer 109 and HD-VCR microcomputer 203 of Fig. 3, col. 5, lines 9-22 and col. 6, lines 60-67) for controlling said recording means based on the channel information input by said input means.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 6-7 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Na et al (US 6,366,731 B1) in view of Arai et al (US 2002/0133820 A1).

Regarding claim 6, Na et al discloses all the claimed limitations as discussed in claim 1 above except for providing the claimed wherein a picture-recording reservation mode of setting in advance an operation of recording the television signal by said recording means is provided.

Arai et al teaches that the program guide can be used to make a reservation of viewing or recording (pages 6-7, paragraph #0124).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of reserving television recording based on program guide as taught by Arai et al into Na et al's system in order to allow user to unattended record the desired television program.

Regarding claim 7, the proposed combination of Na et al and Arai et al teaches the claimed wherein said input means inputs the channel information in accordance with start of setting in the picture-recording reservation mode (col. 4, lines 16-21 and lines 57-67 of Na et al and pages 6-7, paragraph #0124 of Arai et al).

Claims 20-21 are rejected for the same reasons as discussed in claims 6-7 above.

6. Claims 10-12 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Na et al (US 6,366,731 B1) in view of Young (US 4,977,455).

Regarding claim 10, Na et al discloses all the claimed features as discussed in claim 1 above except for providing that the recording means records a television signal received by internal receiving means for receiving a television signal.

Young teaches that VCR can have its internal receiving means such as antenna input 35 or cable 36 (col.3, lines 45-46).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate antenna or cable as taught by Young into Na et al's system in order to recording television program without using tuner of the different device such as television receiver.

Regarding claim 11, the combination of Na et al and Young teaches the claimed wherein said internal receiving means receives the television signal from a transmission channel different from the external receiving apparatus (tuner 101 of Fig. 3 disclosed in col. 4, lines 35-44 of Na et al and col.3, lines 45-46 of Young).

Regarding claim 12, the combination of Na et al and Young teaches the claimed wherein said recording means selectively records the television signal received by said internal receiving means and the television signal received by the external receiving apparatus (tuner 101 of Fig. 3 disclosed in col. 4, lines 35-44 of Na et al and col.3, lines 45-46 of Young).

Claims 24-26 are rejected for the same reasons as discussed in claims 10-12 above.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to an apparatus for recording video signal.

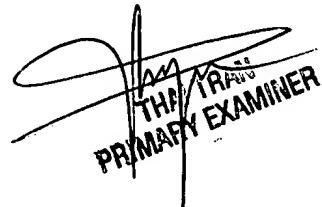
Art Unit: 2615

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTQ



A handwritten signature in black ink, appearing to read "THAI TRAN". Below the signature, the words "PRIMARY EXAMINER" are printed in capital letters.